## REMARKS

Claims 1, 6, 8, 13, 21, and 24 have been amended to clarify the subject matter regarded as the invention. Claim 28 has been added. Claims 1 – 28 are pending.

The Examiner has rejected independent claims 1 and 21 under 35 U.S.C. 102(b) as being anticipated by Felix.

The rejection is respectfully traversed. Claims 1 and 21 have been amended to recite, "repetition encoding the data, wherein a repetition rate associated with the repetition encoding is set to one of a plurality of possible rates." In some embodiments, repetition encoding is performed in the time domain. In one example described in applicants' specification where repetition is performed in the time domain, ODFM symbols are repeated a certain number of times based on data rate (see, e.g., page 5, lines 9 – 13). In some embodiments, repetition encoding is performed in the frequency domain. In one example, data associated with a higher data rate may have more repetition encoding applied to it than data associated with a lower data rate (see, e.g., page 10, lines 11 – 14). Felix says that "data symbols 214 are then repeated by repeater 215 and input into interleaver 216" (Col 5, lines 26 – 27) but does not disclose that "a repetition rate associated with the repetition encoding is set to one of a plurality of possible rates" as recited in amended claims 1 and 21. It is therefore believed that claims 1 and 21 are allowable.

Claims 2 – 7 and 22 – 23 depend from claims 1 and 21, respectively, and are believed to be allowable for the same reasons described above.

The Examiner has rejected independent claims 8 and 24 under 35 U.S.C. 103(a) as being unpatentable over Pauls and Yoshida.

The rejection is respectfully traversed. Pauls describes using two convolutional encoders, one at rate 1/2 and one at rate 4/5 (Figures 1 and 2). Yoshida describes using a repeater where "a rate of the repetition coding is set equal to a reciprocal of a predetermined integer r" (Col 6, lines 40 – 42). Neither Paus nor Yoshida either alone or in combination describe "combining the repetition encoded data to produce combined data, wherein a repetition rate associated with the

repetition encoding is one of a plurality of possible rates" as recited in claims 8 and 24. It is therefore believed that claims 8 and 24 are allowable.

Claims 9 – 20 and 25 – 28 depend from claims 8 and 24, respectively, and are believed to be allowable for the same reasons described above.

The Examiner has objected to claims 6 and 13 for informalities. Claims 6 and 13 have been amended and it is believed the Examiner's objection is overcome.

The Examiner has objected to the abstract. The abstract has been amended and it is believed the Examiner's objection is overcome.

Claim 28 is new. Claim 28 was included in the application at the time of filing but was not numbered in the originally filed application.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: 1/24/07

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